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The Flame of
Our Ancestors
"Every word of
God is
flawless; He is
a shield to
those who take
refuge in him"
-Proverbs 30:5

+1 Dvar
Torah!
Ari Willner '19

The Sage and the Missionary

Rabbi Elchanan Shoff

"You Shall Follow the Majority" (*Shemot* 23:2)

There was once an idolater who approached Rabbi Yehoshua ben Korcha and asked him, "It says in your Torah 'you shall follow the majority.' We idolaters are more numerous than you Jews, so why do you not join together with us and worship as we do?" The Rabbi replied, "Do you have children?" "There you go reminding me of my troubles," responded the idolater. "I have many children. When they come to eat in my home, this one offers blessings to his god, and the other to his god, and the next thing you know, they have crushed each others' skulls." So Rabbi Yehoshua asked him, "Do you succeed in getting them to join together in worship?" The man responded "No!" So the Rabbi said to him, "Before you attempt to get us to join together with you, perhaps you ought to work on your own family first." The idolater hurried away. Once the idolater left, Rabbi Yehoshua ben Korcha's students said to him, "Rabbi, you pushed him away with a broken stick, but tell us the real answer [to why we do not follow the rest of the world's views since, after all, they are the majority.]" He said to them, "When the Torah speaks of Esav, he was only with six people and yet they are called 'Nefashot' - 'souls' in the plural, but when it speaks of Yaakov and all seventy members of his family, it refers to them as a 'soul' in the singular. Since Esav served many gods, his family is referred to as many souls. Yaakov's family serves one God, and thus all who were with him were one soul." (*Midrash Va'Yikra Rabbah* 4:6).

Peace is an ideal that has eluded mankind for the most part. People of different ideals have battled and continue to battle. Sometimes it seems like there is no hope of mankind to live in harmony. An idolater came to missionize to Rabbi Yehoshua ben Korcha; after all, if the Jews would just be like everyone else would that not bring harmony to the world? Why must we be different and celebrate our own holidays, eat our own food, and marry our own kind? Would things not be simpler if we were all the same? Rabbi Yehoshua pointed the man to his own family, who could not get along at all. They shared no common purpose. They joined together because they were related to one another by blood- and family obligation brought them to the table to break bread together. They did not sit down with shared vision, and common purpose. And, as a result, they fought, and beat one another. The Rabbi explained to his students that only one thing can turn a group of people into one: A belief in monotheism and a universal truth that we all live under the same rules of right and wrong defined by the same infinite source of truth. If things are subjective, then even when we sit at the same table, we can never truly share anything. Yaakov's family was unified, for they, all seventy of them, believed in one God and shared a common mission.

When we are all working toward the same goals, we are all brought together to yearn for the day when the Moshiach comes. We are told that the lion will lay with the lamb, and that there will be no war between nations. We are also told that the world will be filled with the knowledge of God as water fills the seas. These are not two independently nice things. They are one and the same. When we truly share values, we are brought together. But when we each develop our own systems and ideals, we are always farther apart.

Though there are far more people who are fighting with one another in the world, we cannot follow the majority. For they are all individuals, not comprising a majority in any way. There is never more than one person on any team. It is only when we are connected to the truth that our connection to one another can have any meaning at all. Surely, following the majority is the right path. One must connect with his community, his people and his neighbors. But that can only begin when he has a real understanding of how the world works. Without that, there can be no unity. "You are to love 'truth' and 'peace,'" instructed the prophet- truth, and peace- in that order. It is the only way.

Parshat Mishpatim is packed with many different monetary laws, given to the Jewish people right after Moses received the Ten Commandments while still at Mount Sinai. Why was Hashem in such a rush to give over these many and seemingly random commandments right after giving us the pillar of Judaism itself? Shouldn't we get the basics first and figure out the subtleties later?

The Ramban explains that these detailed commandments all correspond to the Ten Commandments themselves. For example, the first commandment, recognizing G-d, corresponds to a verse in *Yitro* last week, stating, "You shall see that from the heavens I have spoken to you." The Ramban then elaborates that the monetary laws contained in *Parshat Mishpatim* correspond to the last commandment, "You shall not covet." In order to properly maintain one's own dignity and not wish for another's property, he needs to understand what is his and what he cannot have. However, this also raises an immediate question: how could the details of "do not covet" come before the laws pertaining to murder, idolatry, honoring one's father, and even illicit relationships? Monetary laws seem like a side point compared to these! The *Midrash Rabbah* explains that the

Order Matters

Aharon Etshalom '19

Toward the beginning of this week's *Parasha*, *Parashat Mishpatim*, the laws of damages are discussed. The various damages mentioned can be classified into two groups: people causing damage and property causing damage. They are divided into two halves by separate paragraphs within the text. In the first half, there are four types of damages: a blow leading to death, a blow causing a person to be confined to their bed, a woman's miscarriage, and causing a blemish on a person's body. In the second half, there are six damages discussed: an ox goring a person, an animal falling into a pit, an ox goring a fellow ox, some stealing his fellow's animal, one's animal damaging someone else's field, and a fire destroying someone's field.

Upon closer inspection of this list, several problems emerge. First, if the second half deals chiefly with damage caused by property, then the person stealing his fellow's animal would be out of place on this list because it seems to be an example of damage caused by a person as opposed to a person's property. Also, the order of the damages mentioned in the second half seems odd: First, we hear about an ox goring a person, then we learn of an animal falling into a pit, and only after that do we hear about an ox goring another ox. Why would the two cases of goring be mentioned non-consecutively?

To answer the first question, it seems that the organization of the damages is not based on who does the damage, rather it is based on who or what is damaged. The first half seems to deal exclusively with damage inflicted on a person. The second half continues with damage inflicted on a person, beginning with the most detrimental and impactful damage: death. The difference is that this damage is brought about by an ox as opposed to a person. Because of the prodigious difference between a person killing another person and an ox killing a person, the cases mentioned on this list are not juxtaposed with those dealing with manslaughter.

If the order is based on the severity of damages, how is the order of their severity evaluated? It is based on the Torah's values. First, human life is mentioned because it takes precedence over damage to property or animals. Human life is valued much higher than that of an animal. Then, the severity is evaluated based on the inconvenience caused to the owner as well as the principle that animals are treated as a living being. They carry value and can produce precious commodities. Next, the Torah deals with damage to produce, because it is dear to the owner who has invested much time in it. Plants also have intrinsic value because of the life within them. The least valued category of property is money or vessels.

The lesson to be learned from the order of these cases is that a person's life, health and property—ordered from the most important to the least important—are worthy of protection from harm caused by carelessness. The obligation of repaying damages is meant not only to resolve monetary disputes between man and his fellow man. It is the outgrowth of a perspective that protects a person and his possessions from harm resulting from his neighbor's misdeeds.

Values of the Torah

Parashat Mishpatim talks about many laws pertaining to *Bnei Yisrael*. It discusses the laws of the consequences of murder, the desire to stay as a slave for too long, and much more. One law to take note of is that if someone hits a man and kills him, the killer must be executed (*Shemot* 21:12). Rashi is confused as to why it needs to say specifically in the law that you hit him to the point where it kills him. Rashi answers that the language is needed because otherwise we might think that if you hit someone at all you will be put to death. The Torah shows the concept of a punishment corresponding to the action committed; someone that only hit but did not kill should not be killed. Later in the *Parsha*, the Torah goes deeper into this idea. It says that if a man hits a slave with a stick and in doing so he accidentally killed the person, he will be punished. Rashi again asks a related question about these killings: Is the victim a person from *Bnei Yisrael* or an *Eved Canaani*? Rashi answers that the servant is like the man's money in that they are considered part of the owner's property. He continues that we know that slave is the owner's slave forever, so we learn that the servant is not part of *Bnei Yisrael* because a Jew's limit of slavery is six years. However, Rashi questions the necessity of this *Pasuk*: we learned before that if a man hits another man and he dies, the murderer will be put to death. So, why does this new *Pasuk* about the servant is needed if we already know that the punishment of the person who killed a slave is death. Rashi says that this *Pasuk* is necessary by bringing in the law of whether the victim lives another twenty-four hours after they were hit applies. This *Pasuk* shows us that the slave owner will not be killed if his servant that he hit dies a day later. Many laws are taught in *Parshat Mishpatim* concerning murder and we can see the values the Torah holds dear. The Torah teaches us to view each case individually and impartially. We must put our biases aside to look at each case with fresh eyes. In order to judge fairly, we need to understand the background of the case, the exact events that occurred, and only then can we attempt to rule. In the end, however, we know the classic Jewish principle of *Midah Keneged Midah*—If a person sins, we must punish them accordingly.

HALACHIC ILLUMINATIONS FROM RABBI NACHUM SAUER

On *Shabbat*, certain knots are permissible to tie or untie, and certain knots are not permissible. The basis of this *Halacha*, as cited in *Shabbat 74b*, is that *K'shira* (knot-tying) was performed by trappers of the *Chilazon*, who tied knots in their nets to more effectively capture *Chilazonim* to use their dye for the tapestries in the *Mishkan*. On a *Deorayta* level, the *Melacha* of *Moshair* is the permanent binding of two pliable items together by intertwining them. There is an important *Machloket* among *Rishonim* about what constitutes a knot that would be *Asur* to tie or untie on *Shabbat*. According to *Rashi* and the *Rosh*, as long as the knot is created with the intention to stay tied forever or for a long time, the knot would be *Asur* to tie or untie on *Shabbat*. According to the *Rambam* and the *Rif*, the knot must also be a *Kesher Uman*, or professional knot, such as a square knot or a fisherman's knot. There is also a *Machloket* about what exactly is a long enough time for a knot to be considered "permanent." According to the *Kol Bo*, a knot that is tied for more than one day is considered somewhat permanent, and would be *Asur Miderabanan* to tie on *Shabbat*. The *Tur* says that a knot tied for more than seven days would be considered permanent. On the other hand, *Rabbeinu Yerucham* says that only a knot tied for half a year to a year would be considered permanent. According to all opinions, a knot that is both not professional and is not intended to last more than 24 hours is permitted to both tie and untie. Any knot that is forbidden to be tied or untied is similarly *Asur* to tighten, such as the knot on our *Tzitzis*. According to most authorities, a bow knot, which is common when tying shoes, is not considered to be a *Kesher* and is permissible. However, tying a double knot on *Shabbat* is *Asur*, even with the intention of untying it within 24 hours. Therefore, one should not tie an

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